IMT Nuremberg Archives

H – 1049

International Court of Justice

H1049 - 0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL, DATED 13 MARCH 1946.

SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

31 July 1946

COMMISSIONER:

Mr. I. D. McIlwraith

THE REICH CABINET

(The Commission convened at 1415 hours)

DR. KEMPNER: Defense Counsel agrees that I'm to act as interpreter until the interpreter comes.

COMMISSIONER: Tell me - we are dealing with the Reich Cabinet, and who is representing them?

DR. KUBUSCHOK: Dr. Kubuschok.

COMMISSIONER: Dr. Kubuschok alone.

DR. KUBUSCHOK: Yes. I have three affidavits which I submit. One affidavit of the former Secretary of State, Meissner. One affidavit ofthe former Reich Minister Darree, and affidavit of the former Reich Minister, Schwerin-Krosigk. The affidavit of Meissner treats activities of the cabinet and the change of the functions of the cabinet. The affidavit of Schwerin-Krosigk is concerned with the same question, but in addition,because he was himself a Reich Minister, and he tells especially about the activities under his jurisdiction. The affidavit of Darree concerns especially with his cold storage, so far as abolition of his functions, He as a minister is concerned, and should prove how a person still an official

H1049-0003

member of the Reich Cabinet, but was really excluded from other activities. Otherwise affidavits discuss a question whether somebody could retire from his office. That is all I have to say about the three affidavits which I have here. However, I have in mind to present a very short one - in one page - affidavit of the former ministerial director Hanke. I shall have it sworn today. It concerns the question that war preparations of the ministry were even kept secret with the minister himself on order of Hitler. That is all.

DR. KEMPNER OF THE U.S. PROSECUTION: The prosecution has no objections at the present time.

COMMISSIONER: Are you representing all the prosecution, Dr. Kempner?

DR. KEMPNER: Yes.

COMMISSIONER: Very well those affidavits summaries ~~xxxx~~ are admitted.

Adjourned: 1417 hours

add #1

The foregoing is a true and correct transcript of the submission of affidavits by Dr. Kubuschok on behalf of the Reich Cabinet on 31 July 1946.

BERNICE WINKLER

Reporter

CERTIFIED TO:

I D McGilvray

Commissioner

2

adj

H1049 - 0004

~~By THE COMMISSIONER~~; There being no objections to the affidavits they will be marked for identification as follows; Dr. Otto Meisner, Reich Cabinet No 1, Richard Walther Darre, Reich Cabinet No 2, Schwerin Krosigk, Reich Cabinet No 3, and Rudolf Harmening, Reich Cabinet No 4,

H1049-0005

Affidavits-Reich Cabinet

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL, DATED 13 MARCH 1946.

SUBMISSION OF AFFIDAVITS BY THE DEFENSE PURSUANT TO THE ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

31 July 1946.

COMMISSIONER:

Mr. I.D. McIlwraith.

THE REICH CABINET

(The Commission convened at 1415 hrs.)

DR. KEMPNER: Defense Counsel agrees that I'm to act as interpreter until the interpreter comes.

COMMISSIONER: Tell me- we are dealing with the Reich Cabinet, and who is representing them ?

DR. KUBUSCHOK: Dr. Kubuschok.

COMMISSIONER: Dr. Kubuschok alone ?

DR. KUBUSCHOK: Yes, I have three affidavits which I submit. One affidavit of the former Secretary of State, Meissner. One affidavit of the former Reich Minister Darree, and affidavit of the former Reich Minister, Schwerin-Krosigk. The affidavit of Meissner treats activities of the cabinet and the change of the functions of the cabinet. The affidavit of Schwerin-Krosigk is concerned with the same question, but in addition, because he was himself a Reich Minister, and he tells especially about the activities under his jurisdiction. The affidavit of Darree concerns especially with his cold storage, so far as abolition of his functions, he as a minister is concerned and should prove how a person still an official member of the Reich Cabinet, but was really excluded from other activities. Otherwise, affidavits discuss a question whether somebody could

H1049-0006

retire from his office. That is all I have to say about the three affidavits which I have here. However, I have in mind to present a very short one- in one page- affidavit of the former ministerial director Henke. I shall have it sworn today. It concerns the question that war preparations of the ministry were even kept secret with the minister himself on order of Hitler. That is all.

DR. KEMPNER OF THE U.S. PROSECUTION: The prosecution has no objections at the present time.

COMMISSIONER: Are you representing all the prosecution, Dr. Kempner ?

DR. KEMPNER: Yes.

COMMISSIONER: Very well, those affidavits are admitted. There being no objections to the affidavits they will be marked for identification as follows : Dr. Otto Meissner, Reich Cabinet No. 1, Richard Walther Darre, Reich Cabinet No. 2, Schwerin-Krosigk, Reich Cabinet No 3, and Rudolf Harmening, Reich Cabinet No 4.

Adjourned: 1417 hours

The foregoing is a true and correct transcript of the submission of affidavits by Dr. Kubuschok on behalf of the Reich Cabinet on 31 July 1946.

Bernice Winkler,

Reporter

CERTIFIED TO:

I.O. McILWAITH

Commissioner